

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

## ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,

## Defendants.

VIDEOTAPED DEPOSITION OF

JANICE W. JOHNSTON, M.D.

DATE: August 23, 2022

TIME: 9:39 a.m. to 11:10 a.m.

LOCATION: Krevolin & Horst, LLC

1201 West Peachtree Street, Northwest

Suite 3250

Atlanta, Georgia 30309

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions

1250 Eye Street, N.W., Suite 350

Washington, D.C. 20005

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1

## C O N T E N T S

2

## EXAMINATION BY:

## PAGE

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Counsel for Curling Plaintiffs

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Counsel for Coalition Plaintiffs

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## JOHNSTON DEPOSITION EXHIBITS

6

## NO. DESCRIPTION

## PAGE

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Exhibit 1 Plaintiffs' Identification of

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Outstanding Discovery Disputes Per April

9

5, 2022 Order

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Exhibit 2 Security Analysis of Georgia's ImageCast

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X Ballot Marking Devices, Professor J.

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Alex Halderman, Ph.D.

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Exhibit 3 Excerpt testimony from VIDEOTAPED

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VIDEOCONFERENCE DEPOSITION OF JUAN

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GILBERT, PH.D., FRIDAY, OCTOBER 29, 2021

16

Exhibit 4 Activity Alert: ICSA-22-XXX-XX

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VULNERABILITIES AFFECTING DOMINION

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VOTING SYSTEMS IMAGECAST X

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Exhibit 5 Key Photos from production

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Exhibit 6 People who have downloaded CC data

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Exhibit 7 Declaration of Benjamin R. Cotton, dated

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22

JUNE 8, 2022

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\* (Exhibits attached to transcript.)

## P R O C E E D I N G S

\* \* \* \* \*

VIDEOGRAPHER: Good morning. We are on the video record at 9:39 a.m. on August -- sorry, Tuesday, 23rd of August 2022. This is Media Unit 1 of the video-recorded deposition of Dr. Janice Johnston taken by counsel for Plaintiff in the matter of Donna Curling, et al. versus Brad Raffensperger, et al. filed in the U.S. District Court for the Northern District of Georgia, Atlanta Division. The location of this deposition is Krevolin & Horst in Atlanta, Georgia.

My name is Leo Mileman. I'm from the firm Veritext. I'm the videographer. The court reporter is Felicia Newland from the firm Veritext.

Counsel all present please introduce yourselves, after which the reporter will swear in the witness.

THE WITNESS: Leo, this is the 23rd.

VIDEOGRAPHER: Oh, thank you.

MS. PORTER: This is Reiley Porter

1 from Morrison & Foerster for the Curling  
2 Plaintiffs. And I'm here with Mary Kaiser, also  
3 from Morrison & Foerster for the Curling  
4 Plaintiffs.

5 MR. SPARKS: Also here for the  
6 Curling Plaintiffs is Adam Sparks of Krevolin &  
7 Horst. I should note for the record that Halsey  
8 Knapp, also of Krevolin & Horst, may be here for  
9 part of the deposition.

10 Bruce.

11 MR. BROWN: This Bruce Brown. I am  
12 here for the Coalition Plaintiffs.

13 MR. DENTON: Alexander Denton, here  
14 in the room, for the State Defendants.

15 MR. TYSON: And Bryan Tyson, via  
16 Zoom, also for the State Defendants.

17 MS. EDMONDSON: Anna Edmondson for  
18 the State Defendants.

19 MS. HERNANDEZ: Danielle Hernandez  
20 for the State Defendants.

21 MR. PICO PRATS: Javier Pico Prats  
22 for the State Defendants.

1 MR. JIHADI: Wail Jihadi for the  
2 Curling Plaintiffs.

3 MR. JOSEPH: Oluwasegun Joseph for  
4 the Curling Plaintiffs.

8 | \* \* \* \* \* \* \*

9 | Whereupon,

10 JANICE W. JOHNSTON, M.D.  
11 was called as a witness and, having been first duly  
12 sworn, was examined and testified as follows:

13 EXAMINATION BY COUNSEL FOR CURLING PLAINTIFFS  
14 BY MS. PORTER:

15 Q Good morning, Dr. Johnston. I'm  
16 Reiley Porter. I am counsel on behalf of the  
17 Curling Plaintiffs.

18                   Would you please state your name for  
19                   the record?

20 A Janice W. Johnston, M.D.

21 Q And do you understand that you're  
22 under oath?

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1 ever been asked to be deposed in this case prior to  
2 this deposition.

3 MR. DENTON: Which deposition?

4 MS. PORTER: The deposition that we  
5 are currently in.

6 THE WITNESS: This is the first  
7 deposition that I have been asked -- that I know of  
8 that I have been asked to perform.

9 BY MS. PORTER:

10 Q Thank you.

11 MS. PORTER: Adam, will you please  
12 produce Tab 1?

13 (Johnston Deposition Exhibit Number 2  
14 marked for identification.)

15 MR. SPARKS: I'm handing the witness  
16 and her counsel what's been predesignated as Tab 1.

17 BY MS. PORTER:

18 Q Have you ever seen this report  
19 before?

20 A I have not.

21 Q Are you aware that Dr. Halderman, who  
22 wrote this report, uncovered numerous serious

1                   vulnerabilities in Georgia's current election  
2                   system, and it's detailed in this one-hundred-page  
3                   report?

4                   MR. DENTON: Object to form.

5                   THE WITNESS: I have not seen this  
6                   form.

7                   BY MS. PORTER:

8                   Q        Do you know who Dr. Halderman is?

9                   A        I know who Dr. Halderman is.

10                  Q        Have you heard that Dr. Halderman has  
11                  discovered numerous serious vulnerabilities in  
12                  Georgia's election system --

13                  MR. DENTON: Object to --

14                  BY MS. PORTER:

15                  Q        -- from any source?

16                  MR. DENTON: Object to form.

17                  THE WITNESS: Would you restate your  
18                  question?

19                  BY MS. PORTER:

20                  Q        Yes.

21                  Have you heard that Dr. Halderman has  
22                  discovered serious vulnerabilities in Georgia's

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1 CERTIFICATE OF NOTARY PUBLIC

2 I, FELICIA A. NEWLAND, CSR, the officer before whom  
3 the foregoing video-taped deposition was taken, do  
4 hereby certify that the witness whose testimony  
5 appears in the foregoing deposition was duly sworn  
6 by me; that the testimony of said witness was taken  
7 by me in stenotype and thereafter reduced to  
8 typewriting under my direction; that said deposition  
9 is a true record of the testimony given by said  
10 witness; that I am neither counsel for, related to,  
11 nor employed by any of the parties to the action in  
12 which this deposition was taken; and, further, that  
13 I am not a relative or employee of any counsel or  
14 attorney employed by the parties hereto, nor  
15 financially or otherwise interested in the outcome  
16 of this action.

17  
18   
19

20 FELICIA A. NEWLAND, CSR

21 Notary Public

22 My commission expires:

September 15, 2024